

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD
9535 E. DOUBLETREE RANCH ROAD, SUITE 100, SCOTTSDALE, AZ 85258
PHONE (602) 364-1PET (1738) FAX (602) 364-1039
VETBOARD.AZ.GOV

COMPLAINT INVESTIGATION FORM

If there is an issue with more than one veterinarian please file a separate Complaint Investigation Form for each veterinarian

PLEASE PRINT OR TYPE

FOR OFFICE USE ONLY

Date Received: Nov. 24, 2017 Case Number: 18-36

A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:

Name of Veterinarian/CVT: Brown Road Animal Clinic
Premise Name: Brown Road Animal Clinic
Premise Address: 1140 N. Highley Rd. Suite 107
City: Mesa State: AZ Zip Code: 85205
Telephone: 480-981-8387

B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT*:

Name: Joe / Marlise Brower
Address: [REDACTED]
City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]
Home Telephone: [REDACTED] Cell Telephone: [REDACTED]
Winter Address: [REDACTED]
[REDACTED]

*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

NOV 24 2017

BY:

C. PATIENT INFORMATION (1):

Name: Cliff
Breed/Species: Chihuahua-
Age: 9-plus Sex: Male Color: Red

PATIENT INFORMATION (2):

Name: N/A
Breed/Species: _____
Age: _____ Sex: _____ Color: _____

D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:

Please provide the name, address and phone number for each veterinarian.

Richard ~~At~~ Crisler
Brown Road Animal Clinic

E. WITNESS INFORMATION:

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

Marlise Brower
Joe Brower

Attestation of Person Requesting Investigation

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: Marlise Brower
Date: 11/21/17

مَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مَخْرَجًا
وَيَرْزُقْهُ مِنْ حَيْثُ لَا يَحْتَسِبُ
وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مَخْرَجًا
وَيَرْزُقْهُ مِنْ حَيْثُ لَا يَحْتَسِبُ

F. ALLEGATIONS and/or CONCERNS:

Please provide all information that you feel is relevant to the complaint. This portion must be either typewritten or clearly printed in ink.

Please See Attached.

On November 3, 2017 we took our 9 plus year old chihuahua(Cliff), into Brown Road Animal Clinic, 1140 N Highley Road, Suite 207, Mesa, AZ. Because he wasn't eating. When the veterinarian came in we briefly described what was going on. He pulled his lip up and said "here is the problem" Cliff had an abscessed tooth. The veterinarian stated he would put Cliff on antibiotics(Clavamox). We discussed about having all the teeth removed he was surprise that his other nine teeth had not been removed when the other 33 teeth had been removed. We didn't know since we have only had him since August 2017. We talked about what type of food he would eat when his teeth were al gone. That veterinarian explain to us he would be able to eat dry dog food that we could add a can of chicken broth or beef broth to moisten it a little if we wanted to. At NO time did we ever discuss having his teeth cleaned. We would never have put a 9 plus year old 5.8 lb. dog with 9 teeth under anesthesia for dental cleaning. The veterinarian stated he would get us an estimate. It is attached. I agree it does show dental scaling along with extractions. We spoke to a office staff person and were told to have Cliff at their office on November 14th between 8:00 and 9:00 am, and should be able to pick him up around 2pm. We were given a card for the appointment on the 14th and on that card it says no food morning of surgery - we thought surgery was removing teeth. We took Cliff in at 8 I did sign a surgical release, which I thought was for removal of his teeth. We were told we would be called after surgery to let us know how he did. We did not hear anything and returned to the clinic around 1:30. We were told he did well and should be ready to go home by 5. We went back at 4 to wait. About 4:30 we went into the exam room and the technician brought Cliff into us. She showed us the pictures of the before and after surgery. None of the teeth had been extracted like we were led to believe. We questioned the technician about the abscessed tooth. She stated she did not see any notation of an abscessed or extracted tooth, but had not assisted during surgery, but would check with the tech that did. No abscess! No Extractions. Discharge papers also state NO extraction. (Attached) We paid \$632.00 for our 9 year old dog to have 9 teeth cleaned. I can guarantee you we would definitely not have agreed to have his 9 teeth cleaned! We were misled.

During the next two days we contacted various sources regarding our situation- we have been told if it was a single abscessed tooth to be extracted an X-ray should have been done - secondly the antibiotics only clean up the current infection, and if the tooth is not pulled or a root canal is not done the abscess will come back. So does this mean our 9 year old 5.8 lb Cliff has to go back through this again?

I did contact Brown Animal Clinic November 16th at approximately 5:15 and asked them to have the office manager call me the next day. The office manager by the name of Jean did call me at 5:53 and we spoke until 6:33. I did explain to her I was extremely upset with their clinic over their handling of our vet visit. I explained to her that dental cleaning was never discussed with the veterinarian. And that we would never have put a 9 to 10-year-old dog under anesthesia to have his nine teeth cleaned. I explain to her the discussion in the office between the veterinarian myself and my husband about Cliff not feeling well. How he pulled up Cliff's lip showing us a tooth at the front of his mouth, and said here's your problem you have an abscess tooth. I also told her about the food conversation. We discussed the fact he was surprise that his other nine teeth had not been removed when the other 33 teeth had been removed.

The office manager told me that there were extractions done, just the paperwork was not completed correctly. I do wonder how much of the paperwork has since been "fixed" to cover up mistakes? We do have a form and pictures that say no extractions were done. (Attached) The office manager did say that the veterinarian would pull the teeth at no charge I immediately said I would never take my pet back to their clinic. □ The office manager did asked me during our conversation several times what I wanted done I stated several times I would like to see the charges all reversed. She never responded to that request. She also excused me of not reading the estimate, and the fact when we took Cliff in on the morning of November 14th when I handed him to the technician I did not verbally ask the technician what Cliff was having done. We thought it was documented in his medical records especially after our conversation with the veterinarian.

I basically told the office manager she could do what she thought was right and I would do what I thought was right. I did not feel spending any more time in this conversation was getting us anywhere we were just hashing and rehashing the same information. She was going to defend her clinic and I was not going to change my mind regarding their veterinary practice. □ At this point in time I have not received any response from this clinic and we have put a hold on the credit card payment. □

Marlise Brower

Richard D. Crisler, D.V.M.
Brown Road Animal Clinic
1140 N Higley Road
Suite 107
Mesa, AZ 85285
Dec. 9, 2017

RE: 18-36

On November 3, 2017 Marise Brower presented Cliff a 9yr old Chihuahua for dental examination. On examination, with the complaint that Cliff was having a hard time eating and "kind of shaking" and not acting himself. There was a previous history of a dental prior to these owners and adopted him in August of this year.

On physical examination his general appearance, attitude and mm were normal. His cardiac exam revealed normal heart sounds with no murmur noted.

On oral exam it was discovered that most of his teeth have been lost or extracted. On the right side of the mandible only 405 and 403 and 205 remained. These teeth had severe tartar accumulation with purulent gingivitis present. The client was informed of the periodontitis present and the possibility of a tooth abscess as one of the rule outs. The client was also told that we would not know how bad the teeth are until we are under anesthesia to do a full dental examination. I did mention that an abscess is possible and there is a chance of whole mouth extraction may be needed.

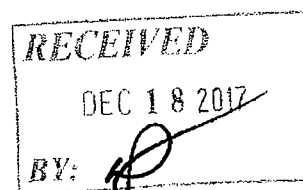
On November 14th Cliff presented for the dental. The tartar was cleaned from the remaining teeth were found to be solid. No major pockets were found Only 2 to 3 mm pockets were found and the teeth were not abscessed. No mobility was noted on the mandibular incisors and the premolar had only a minuscule amount motion that was less than a millimeter. Due to the previous dental disease and the possibility of a weakened mandible (108 was missing) and the solid nature of the teeth that were left and not extracted.

Estimates were presented for the procedure and were signed by the client. Our estimates state that it does not include any treatment that may be deemed necessary upon examination and commencement of the included treatments.

It also states that the health of the patient is our highest concern and we will do everything possible to maintain the health of the patients. With this I feel that removal of solid mandibular teeth when the bone is possible weakened would to be the be the best care for Cliff.

Photographs before and after the dental cleaning are in the medical records.

However, I will admit that my charting of this case was not up to standards. I was new to this clinic and still learning the chart system and procedures. This chart got away from me and there is no excuse for my failure of charting.



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DOUGLAS A. DUCEY
- GOVERNOR -



VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS STREET, STE. 4600, PHOENIX, ARIZONA 85007

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INVESTIGATIVE COMMITTEE REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: PM Investigative Committee: Adam Almaraz - Chair
Amrit Rai, D.V.M.
Donald Noah, D.V.M.
Christine Butkiewicz, D.V.M.
Tamara Murphy

STAFF PRESENT: Tracy A. Riendeau, CVT – Investigations
Sunita Krishna – Assistant Attorney General
Victoria Whitmore, Executive Director

RE: Case: 18-36
Complainant(s): Joe and Marlise Brower
Respondent(s): Richard Crisler, DVM (License: 3209)

SUMMARY:

Complaint Received at Board Office: 11/24/17
Committee Discussion: 2/6/18
Board IIR: 3/21/18

APPLICABLE STATUTES AND RULES:

Laws as Amended July 2014
(Salmon); Rules as Revised September
2013 (Yellow)

On November 14, 2017, "Cliff," a 9-year-old male Chihuahua mix was presented to Respondent for a dental with extractions. Complainants were under the impression that the dog was going to have his remaining nine teeth extracted due to poor oral health and a suspected abscessed tooth.

The procedure was performed and the dog was discharged that day. At discharge Complainants were shocked to learn that no extractions had been performed.

Complainants contend Respondent was negligent in the care of the dog.

Complainants were noticed and appeared.
Respondent was noticed and appeared with counsel, David Stoll.

The Committee reviewed medical records, testimony, and other documentation as described below:

- Complainant(s) narrative: Joe and Marlise Brower
- Respondent(s) narrative/medical record: Richard Crisler, DVM

PROPOSED 'FINDINGS of FACT':

1. On November 3, 2017, the dog was presented to Respondent due to having a hard time eating, shaking and not acting himself. Complainants reported that the dog was a rescue and they had only had him since August 2017. Upon exam, the dog had a weight = 5.8 pounds, a temperature = 101.1 degrees, a pulse rate = 100bpm and a respiration rate = 40rpm. Respondent noted that there was heavy tartar on all remaining teeth with moderate to severe gingivitis. Mobility of some teeth noted. Respondent stated that he did mention an abscess was possible and there was a chance of whole mouth extraction. He recommended periodontal treatment; an estimate was provided and the dog was discharged with Clavamox.

2. According to Complainants Respondent looked in the dog's mouth and advised that there was an abscessed tooth. They discussed putting the dog on antibiotics and removing the remaining nine teeth. Respondent explained that the dog would be able to eat dry dog food and chicken or beef broth could be added to soften the food. Complainants state that Respondent never discussed having the dog's teeth cleaned as they would not have agreed to put their small, geriatric pet under anesthesia. Complainants admit that the estimate provided has dental scaling/polish on it.

3. On November 14, 2017, the dog was presented to Respondent for a dental procedure. Complainants state that the surgical release they signed was for extracting teeth. Upon exam, the dog had a weight = 5.72 pounds and a temperature = 101.3 degrees. No heart rate or respiration rate noted. Blood was collected for pre-surgical blood work – no abnormalities noted. An IV catheter was placed and Lactated Ringer's Solution was started (amount received unknown). The dog was pre-medicated with torbutrol, induced with propofol and maintained on isoflurane and oxygen.

4. The tartar was cleaned from the teeth and they were found to be solid; no major pockets or abscessed teeth were found. Due to the previous dental disease, the possibility of a weakened mandible and the solid nature of the teeth, no extractions were performed.

5. According to Complainant, she spoke with the office manager to express their dissatisfaction and was told that teeth had been extracted and the paperwork was filled out wrong.

COMMITTEE DISCUSSION:

The Committee discussed that dental health is critical and concerns for anesthesia in an older patient is antiquated. Not needing to extract teeth is a positive – dental disease is progressive and regular teeth cleaning helps slow the process down. At times once the teeth are cleaned and the tartar removed, the teeth are healthy and extractions are not needed.

This appeared to be a communication issue.

COMMITTEE'S PROPOSED CONCLUSIONS of LAW:

The Committee concluded that no violations of the *Veterinary Practice Act* occurred.


COMMITTEE'S RECOMMENDED DISPOSITION:

Motion: It was moved and seconded the Board:

Dismiss this issue with no violation.

Vote: The motion was approved with a vote of 5 to 0.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.

A handwritten signature in dark ink, appearing to be 'TRACY A. RIENDEAU', written over a horizontal line.

Tracy A. Riendeau, CVT
Investigative Division